

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

FS MEDICAL SUPPLIES, LLC,

Plaintiff,

v.

TANNERGAP, INC. *et al.*,

Defendants.

Civil Action No.
3:21-CV-501-UJ1-WCM
3:23-CV-598-UJ1-WCM

**PLAINTIFF’S NOTICE OF WITHDRAWAL OF
MOTION TO FILE EXHIBIT UNDER SEAL**

PLEASE TAKE NOTICE that Plaintiff FS Medical Supplies, LLC (“Plaintiff”) hereby withdraws its Motion to File Exhibit Under Seal filed in this action on December 20, 2024 (ECF 264, the “Motion”), without prejudice. No party has designated the deposition testimony that was the subject of the Motion as “confidential,” and the times for doing so under the Stipulated Protective Orders entered in this case (ECF 25) and *Tanner II* (ECF 71) have now expired.

Plaintiff hereby requests that the Clerk’s Office unseal the document (ECF 263) that was filed under seal in connection with the Motion.

This the 18th day of March, 2025.

/s/ Kent A. Yalowitz

Kent A. Yalowitz (admitted *pro hac vice*)
N.Y. State Bar No. 2188944
Carmela T. Romeo (admitted *pro hac vice*)
N.Y. State Bar No. 5058151

ARNOLD & PORTER

KAYE SCHOLER LLP

250 W 55th Street
New York, NY 10019
Telephone: 212-836-8000
kent.yalowitz@arnoldporter.com
carmela.romeo@arnoldporter.com

– and –

Eliseo R. Puig (admitted *pro hac vice*)
Colorado State Bar No. 49022

ARNOLD & PORTER

KAYE SCHOLER LLP

1144 Fifteenth Street, Suite 3100
Denver, CO 80202
Telephone: 303-863-1000
eliseo.puig@arnoldporter.com

/s/ Lex M. Erwin

Lex M. Erwin
N.C. State Bar No. 34619
David A. Luzum
N.C. State Bar No. 41398
Kevin Y. Zhao
N.C. State Bar No. 53680
MAYNARD NEXSEN PC
227 W. Trade Street, Suite 2300
Charlotte, NC 28202
Telephone: 704-339-0304
Facsimile: 704-338-5377
lerwin@maynardnexsen.com
dluzum@maynardnexsen.com
kzhao@maynardnexsen.com

Counsel for Plaintiff